

Ordinance No. 6.

Public Pound, Estrays, etc.

Establish-
ment of
Public
Pound

The Board of Trustees of the City of Lodi do ordain as follows:

Section 1.- A public pound is hereby authorized and the same shall be located at some convenient place to be fixed by the Board of Trustees, which said pound shall be and remain under charge and control of the Marshal in the absence of a Pound Master appointed by the Board of Trustees.

Animals
not to run
at large.

Section 2.- It is hereby made unlawful for any ~~ox~~, bull, cow, horse, colt, jack, jenny, mule, calf, sheep, goat, hog, to run at large in the City of Lodi, or to be pastured or herded, tied or staked, for the purpose of grazing in any of the streets, alleys, squares or other ground belonging to or under the control of said City.

Impounding
Animals and
Notice be-
fore sale.

Section 3.- It shall be the duty of the Marshal or Pound Master to take up, impound, and safely keep any of the animals enumerated in Section 2. of this ordinance found running at large, or being herded or pastured in any street, square, or other public ground or place, contrary to the provisions of Section 2. of this Ordinance. When any animal is ^{so} impounded, the Marshal or Pound Master shall immediately notify the owner or owners thereof, if known, by posting notices in at least three public places, for the space of one week, Said notice shall contain a full description of such animals and set forth that unless reclaimed they will be sold under the State law provided for estrays. If said animal is not reclaimed before the expiration of the time specified in the notice the Marshal or Pound Master shall proceed to sell the same in the manner specified in the notice.

Redemption

of Impound-
ed Animals.

Section 4.- The owner of any animal impounded shall have the right to reclaim the same at any time prior to the sale or killing thereof upon the payment to the Marshal ~~or~~ the Pound Master of the ~~sum~~ of two dollars for each animal re- deemed, and all expenses of keeping said animal hereby fixed as follows: one dollar per day for each day and fraction of a day for every ox, bull, cow, horse, colt, jack, and mule impounded, and fifty cents a day for every day and fraction of a day for any other animal, in Section 2 of this Ordinance mentioned, impounded and also the cost of adver- tising hereby affixed at fifty cents for each animal impounded.

Said amount shall be paid before the animal im- pounded shall be released, and all moneys received by the Marshal or Pound Master under the provisions of this section shall be retained by the Marshal or Pound Master as his compensation and to reimburse him for the expenses by him to be incurred under the provisions of Section 6 of this ordinance.

Food and

Water ~~to~~ be

- supplied to
Impounded
Animals.

Section 5.- The Marshal or Pound Master shall ~~z~~ cause all animals impounded to be provided with sufficient food and ^{suitable} water~~^~~ thereof, said food and water shall be Supplied at the expense of the Marshal or Pound Master.

Dogs un-
licensed
to be

Impounded

Section 6.- It is hereby declared unlawful for any ~~gagx~~ dog, not duly licensed and registered in accordance with the provisions of this section to run or be at large in any of the streets, alleys, squares, or public grounds, in the City of Lodi, and it is hereby made the duty of the Marshal or Pound Master or any party or parties that he may depute to take up and impound any dog not licensed and registered, found running at large in any street, alley, square, or public ground in the city, and to notify the owner thereof when known. Any dog so impounded may be redeemed by the

owner or possessor thereof within three days after being impounded, or after notice, when notice is given, upon payment to the Marshal or Pound Master the sum of one dollar for impounding, and ten cents for each day for keeping the same. All dogs-not redeemed as herein provided shall be sold or killed by the Marshal or Pound Master. Any licensed and registered dog found running at large without a tag as required by law shall be taken to the pound, and if claimed by the owner within three days, the Marshal or Pound Master shall be ~~entitled~~ entitled to receive the sum of fifty cents from the owner or possessor thereof as a fee for impounding the same. All dogs impounded and unclaimed and not intended to be sold by the Marshal or Pound Master within three days shall be killed and buried-in some proper place, at least one foot beneath the surface of the ground, and he shall be entitled to receive from the town a fee of fifty cents each therefor.

Any person desiring a dog to run at large shall pay in advance to the Marshal an annual tax fixed by ordinance by the Board of Trustees for the term of one year or part of a year, commencing on the first day of January of each year. A metallic tag shall be furnished by the Marshal at the expense of the city which the owner shall attach to a collar round the neck of such dog and keep the Same displayed at all times. Said tag shall legibly stamped thereon the registered number of the dog and the year for which such dog is registered.

~~The~~ clerk shall keep a book in which he shall register~~m~~ the number of the tag supplied to the owner of such dog, a description of the dog, also whether it be male or female, and the year for which the tag is purchased and the amount received therefor. All moneys received for licenses under the provision of this section shall be paid-by the Marshal into the City Treasury monthly, the same to be credited to the general fund.

Animals not
Redeemed to
be Killed.

Section 7.- If any animal impounded under the provision of this ordinance ~~be~~ not redeemed or sold within the time and the manner specified, the Marshal or Pound Master shall cause the same to be killed and buried, and no charge shall be made or fee collected for the killing and burial of any such animal, with the exception of the killing and burial of dogs for which the Marshal or Pound Master shall receive the fee-provided ~~for in~~ section 6 of this Ordinance.

Dead Animals
to be
buried by
the Owners

Section 8.- It shall be the duty of all persons having dead animals upon their premises, or who shall be the owner or possessor of any animal dying within the city limits, to bury the same at least three feet under the ground excepting cats, dogs, or fowl which shall be buried at least one foot under ground, either upon his own premises or in some place outside the inhabited portion of the city, within twenty-four hours after the same shall have died.

Failure to -
bury Animals,
Penalty .

Section 9.- If any person fail or neglect to bury any animal as provided for in this ordinance, then in such case it shall be the duty of the Marshal or Pound Master to proceed forthwith to have the same buried, and it shall be lawful for the Marshal or Pound Master to charge to and recover from the owner or possessor of such dead animal the cost of burial thereof; and such person who shall neglect or refuse to bury or cause to be buried ~~any~~ dead animal upon his premises or in ~~any~~ public place of which he is the owner or possessor, or to pay the Marshal or Pound Master the cost incurred in burying such animal shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not less than five dollars, nor more than thirty dollars, or by imprisonment not less than five nor more than ten days, or by both such fine and imprisonment. In case the Marshal or Pound Master after diligent search, cannot find the owner or possessor of any dead animal, in this ordinance referred to, he shall cause the

same to be buried, and the cost thereof shall be paid by the city.

Rescuing
Animals,
Penalty.

Section 10.- If any person shall rescue any animal from the Marshal or Pound Master or any person authorized to impound animals, while conveying or being about to convey or drive the same to the pound, or shall make any pound breach, or in any way, directly or indirectly, convey or deliver or remove any animal out of the pound without lawful authority, he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five nor more than ~~thirty days~~ fifty dollars or by imprisonment for not less than five nor more than thirty days, or by both such fine and imprisonment.

Record of
Animals
Impounded
to be kept.

Section 11.- The Marshal or Pound Master shall keep a record of every animal in pound with description thereof, and the-date and manner of disposition of same, and, if sold, the name of the person to whom sold. Said record shall be open to inspection of any person upon demand.

Penalty.

Section 12.- Any person owning or having control of any animal running at large in violation of any provision of this ordinance and any person violating any provision of this ordinance in any other particular, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished (unless otherwise provided herein) by a fine not exceeding fifty dollars or by imprisonment ~~not~~ exceeding twenty-five days or by both such fine and imprisonment.

Section 13.- This ordinance shall be published by *printing* the same in three public places in the city of Lodi.

Section 14.- All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 15.- This ordinance shall take effect immediately upon approval and publication.

Passed and approved at a ~~regular~~ *special* meeting *this 25th day of March, 1907,*
by the ~~following~~ *voters*

Ayes: *Rich. Hall, Blodgett & Kellings*

Noes:

Attest:

G. E. Lawrence
President of the Board of
Trustees of the City of Lodi.

J. M. Mahon City Clerk.